

**Amendments to the Claims:**

The following listing of claims shall replace all previous listings of the claims.

**Listing of Claims:**

1. (Currently Amended) A method for a system comprising a communications device and a communications network, ~~wherein the communications network generally provides at least a direct cell access mechanism and an alternative cell access mechanism for the communications device for uplink access to the communications network, and wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel,~~ the method comprising:

generally providing, by the communications network, at least a direct cell access mechanism and an alternative cell access mechanism for the communications device for uplink access to the communications network, wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel without requesting access resources when user data is available to send;  
and

determining by the communications network and indicating to the communications device whether the direct cell access mechanism can at a given time be provided.

2. (Original) A method according to claim 1, wherein in a situation in which the direct cell access can not be provided the method comprises:

indicating to the communications device that the alternative cell access mechanism should be used.

3. (Original) A method according to claim 2, wherein the alternative cell access mechanism comprises using a separate access channel for uplink access.
4. (Original) A method according to claim 1, wherein said indicating whether the direct cell access mechanism can be provided comprises indicating whether the communications device can directly start sending user data on a traffic channel at a high data rate.
5. (Previously Presented) A method according to claim 1, wherein a radio interface between the mobile communications device and the communication network is layered into protocol layers which form a protocol stack, and the traffic channel forms part of a logical traffic channel operating on a data link layer (Layer 2) of the protocol stack.
6. (Original) A method according to claim 5, wherein said indicating whether the communications device can directly start sending on a traffic channel is carried out on a network layer (Layer 3) of the protocol stack.
7. (Original) A method according to claim 1, wherein said indicating whether the direct cell access mechanism can be provided is performed by sending a broadcast message to a set of communications devices including the communications device of claim 1.

8. (Original) A method according to claim 7, wherein said broadcast message contains a parameter value further restricting the set of communications devices.
9. (Original) A method according to claim 1, wherein said indicating whether the direct cell access mechanism can be provided is performed by sending a multicast message to a limited set of communications devices including the communications device of claim 1.
10. (Original) A method according to claim 1, wherein said indicating whether the direct cell access mechanism can be provided is performed by sending a point-to-point message to the communications device.
11. (Previously Presented) A method according to claim 7, wherein said message conveys to the communications device a parameter value indicating whether the direct cell access mechanism is enabled.
12. (Previously Presented) A method according to claim 1, wherein the communications network comprises a base station serving a cell of a mobile communications system, and wherein the method comprises:
- performing traffic and/or radio measurements by the base station; and
  - determining by the base station whether the direct cell access mechanism can at a given time be provided on the basis of said measurements.

13. (Currently Amended) A communications device configured for operation with a communications network, which communications network generally provides at least a direct cell access mechanism and an alternative cell access mechanism for the communications device for uplink access to the communications network, wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel without requesting access resources when user data is available to send, the communications device comprising:

means (RF, MCU, 515, SW) for receiving an indication sent by the communications network, the indication indicating to the communications device whether the direct cell access mechanism can at a given time be provided.

14. (Canceled)

15. (Currently Amended) A base station of a communications network, ~~which communications network generally provides at least a direct cell access mechanism and an alternative cell access mechanism for a communications device for uplink access to the communications network, wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel, the base station comprising:~~

means for generally providing at least a direct cell access mechanism and an alternative cell access mechanism for a communications device for uplink access to the communications network, wherein the direct cell access mechanism is a mechanism

enabling the communications device to directly start sending user data on a traffic channel without requesting access resources when user data is available to send; and

means for determining and indicating to the communications device whether the direct cell access mechanism can at a given time be provided.

16. (Currently Amended) A system comprising a communications device and a communications network, ~~which communications network generally provides at least a direct cell access mechanism and an alternative cell access mechanism for the communications device for uplink access to the communications network, wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel, the communications network comprising:~~

means for generally providing at least a direct cell access mechanism and an alternative cell access mechanism for the communications device for uplink access to the communications network, wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel without requesting access resources when user data is available to send; and

means for determining and indicating to the communications device whether the direct cell access mechanism can at a given time be provided; and

the communications device comprising:

means (RF, MCU, 515, SW) for receiving said indication.

17. (Currently Amended) A communications device configured for operation with a communications network, ~~which communication network generally provides at least a direct cell access mechanism and an alternative cell access mechanism for the communications device for uplink access to the communications network, wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel,~~ the communications device comprising:

a receiver for receiving an indication sent by the communications network, the indication indicating to the communications device whether ~~[[the]]~~ a direct cell access mechanism that is generally provided by the communications network can at a given time be provided, the communications device being configured to use said direct cell access mechanism in response to receiving said indication, wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel without requesting access resources when user data is available to send.

18. (Previously Presented) A communications device according to claim 17, wherein the communications device is a mobile hand-held device of a cellular communications network.

19. (Previously Presented) A communications device according to claim 17, wherein said indicating whether the direct cell access mechanism can be provided comprises

indicating whether the communications device can directly start sending user data on a traffic channel at a high data rate.

20. (Currently Amended) A communications device according to claim 17, wherein a radio interface between the ~~mobile~~ communications device and the communications network is layered into protocol layers which form a protocol stack, and the traffic channel forms part of a logical traffic channel operating on a data link layer (Layer 2) of the protocol stack.

21. (Previously Presented) A communications device according to claim 20, wherein said indicating whether the communications device can directly start sending on a traffic channel is carried out on a network layer (Layer 3) of the protocol stack.

22. (Previously Presented) A communications device according to claim 17, wherein the communications device is configured to receive a broadcast message comprising said indication.

23. (Previously Presented) A communications device according to claim 17, wherein the communications device is configured to receive a multicast message comprising said indication.

24. (Previously Presented) A communications device according to claim 17, wherein the communications device is configured to receive a point-to-point message comprising said indication.

25. (Previously Presented) A communications device according to claim 17, wherein the communications device is configured to receive a parameter value indicating whether the direct cell access mechanism is enabled.

26. (Currently Amended) An apparatus, ~~wherein the apparatus is configured to provide generally at least a direct cell access mechanism and an alternative cell access mechanism for a communications device for uplink access to a communications network, wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel, the apparatus comprising:~~

a module configured to provide generally at least a direct cell access mechanism and an alternative cell access mechanism for a communications device for uplink access to a communications network, wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel without requesting access resources when user data is available to send; and

a determination module and a transmitter for determining and indicating to the communications device whether the direct cell access mechanism can at a given time be provided.



27. (Previously Presented) An apparatus according to claim 26, wherein the apparatus is configured to operate as a base station of the communications network.

28. (Previously Presented) An apparatus according to claim 26, wherein in a situation in which the direct cell access can not be provided, the apparatus is configured to indicate to the communications device that the alternate cell access mechanism should be used.

29. (Previously Presented) An apparatus according to claim 26, wherein the alternative cell access mechanism comprises using a separate access channel for uplink access.

30. (Previously Presented) An apparatus according to claim 26, wherein said indicating whether the direct cell access mechanism can be provided comprises indicating whether the communications device can directly start sending user data on a traffic channel at a high data rate.

31. (Previously Presented) An apparatus according to claim 26, wherein a radio interface between the apparatus and the communications device is layered into protocol layers which form a protocol stack, and the traffic channel forms part of a logical traffic channel operating on a data link layer (Layer 2) of the protocol stack.

32. (Previously Presented) An apparatus according to claim 31, wherein said indicating whether the communications device can directly start sending on a traffic channel is carried out on a network layer (Layer 3) of the protocol stack.
33. (Previously Presented) An apparatus according to claim 26, wherein the apparatus is configured to indicate whether the direct cell access mechanism can be provided by transmitting a broadcast message, a multicast message, or point-to-point message(s).
34. (Currently Amended) An apparatus according to claim 26, wherein the apparatus is configured to indicate whether the direct cell access mechanism can be provided by transmitting a broadcast message, and wherein said broadcast message contains a parameter value restricting [[the]] a set of communications devices to which the message is to be transmitted.
35. (Previously Presented) An apparatus according to claim 26, wherein the apparatus is configured to indicate whether the direct cell access mechanism can be provided by transmitting a message comprising a parameter value indicating whether the direct cell access mechanism is enabled.
36. (Previously Presented) An apparatus according to claim 26, wherein the apparatus is configured to operate as a base station of the communications network, and wherein the apparatus is configured to perform traffic and/or radio measurements and to

determine whether the direct cell access mechanism can at a given time be provided on the basis of said measurements.

37. (Previously Presented) A method according to claim 1, wherein, in the direct cell access mechanism, the communications network broadcasts that a direct uplink access to a traffic channel is permitted.

38. (Previously Presented) A method according to claim 37, wherein, in the alternative cell access mechanism, a two step process occurs in which the communications device first requests access to the communications network.